**Before the**
**FEDERAL COMMUNICATIONS COMMISSION**
**Washington, D.C. 20554**

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| **In the Matter of**<br><br>**A National Broadband Plan for Our Future** | )<br>)<br>)<br>) | **GN Docket No. 09-51** |

To: Wireline Competition Bureau and Wireless Telecommunications Bureau

## REPLY COMMENTS OF DIGITALBRIDGE COMMUNICATIONS CORP.

DigitalBridge Communications Corp. ("DBC") replies to comments filed in response to the Federal Communications Commission's ("FCC" or "Commission") National Broadband Plan Notice of Inquiry ("NOI").[1] DBC, working with the National Rural Telecommunications Cooperative ("NRTC"), is committed to extending broadband opportunity to the whole Nation, with a focus on rural populations. DBC agrees with the Commission that any national plan must "open the doors of opportunity for more Americans no matter who they are, [or] where they live..."[2]

In addition to the recommendations made by NRTC and DBC in their comments in this proceeding,[3] DBC files this reply in support of commenters who urged the Commission to: (1) support wireless broadband technologies, such as WiMAX as a critical tool in the continuing evolution of the Nation's broadband infrastructure; (2) adopt procedures to enable timely deployment of wireless tower facilities; and (3) support developing linkages between broadband and smart grid networks and applications.

### I. Wireless Broadband Technology is the Best Technology for the Continued Evolution of our Nation's Broadband Infrastructure.

DBC is bullish on the benefits of wireless broadband. It is apparent from the comments filed in this proceeding that many others believe that wireless technology is the best solution to bring

[1] National Broadband Plan for Our Future, Notice of Inquiry, 24 FCC Rcd 4342 (2009) ("NOI").

[2] *Id.* ¶ 1.

[3] *See* Joint Comments of NRTC and DBC.

broadband to underserved portions of our Nation, particularly in rural areas. Hundreds of comments were filed in response to the FCC's NOI about a National Broadband Plan on June 8, 2009.[4] Of those, there were approximately 266 substantive comments and almost one-third of the substantive commenters, approximately 87 comments, noted the significant benefits of wireless broadband as the advanced technology that will best position the Nation's broadband infrastructure for continued evolution.[5] Wireless broadband technology, particularly WiMAX, is the most advanced platform for getting broadband where it is needed, including rural areas.[6] Recent advances in WiMAX wireless technology are targeted specifically at bringing broadband service to rural markets.[7]

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[4] CTIA – The Wireless Association, Telecommunications Industry Association, and Rural Telecommunications Group, NOI at 1-2, Request for Extension of Reply Comment Deadline (June 22, 2009).

[5] Comments of Alcatel-Lucent; Comments of American Consumer Institute; Comments of APCO; Comments of AT&T Inc. ("AT&T"); Comments of Benton Foundation; Comments of CDMA Development Group; Comments of The Center for Accessible Technology/Inclusive Technologies; Comments of Center for Democracy & Technology; Comments of Cisco Systems, Inc.; Comments of Clearwire Corporation ("Clearwire"); Comments of Comcast Corporation ("Comcast"); Comments of Competitive Enterprise Institute; Comments of COMPTEL; Comments of Computer & Communications Industry Assoc.; Comments of Consumer Electronics Association; Comments of Consumer Federation of America and Consumers Union ("Consumer Federation"); Comments of Cricket Communications, Inc.; Comments of CTB Group, Inc.; Comments of CTIA - The Wireless Association; Comments of Dell Inc.; Comments of Diana Warren; Comments of Doug Power; Comments of EDUCAUSE; Comments of Elliott H. Drucker; Comments of EMR Policy Institute; Comments of The Enterprise Wireless Alliance; Comments of Ericsson Inc.; Comments of Expand Networks, Inc.; Comments of FiberTower Corporation; Comments of Free Press; Comments of Grant County, Washington State, Sheriff's Office; Comments of GVNW Consulting, Inc.; Comments of IEE-USA's Committee on Communications Policy; Comments of Johannes M. Bauer; Comments of LARIAT (Laurence Brett Glass); Comments of Mobile Future; Comments of Motorola, Inc.; Comments of MSS/ATC Coalition; Comments of National Association of State Utility Consumer Advocates; Comments of National Cable & Telecommunications Association; Comments of National Consumers League; Comments of National EBS Association ("NEBSA"); Comments of National Exchange Carrier Association, Inc.; Comments of National Radio Astronomy Observatory; Comments of National Rural Electric Cooperative Association ("NRECA"); Comments of National Rural Telecommunications Cooperative ("NRTC") and DigitalBridge Communications ("DBC"); Comments of National Telecommunications Cooperative Association; Comments of Native Public Media and the National Congress of American Indians; Comments of NATOA et. al.; Comments of NENA; Comments of New America Foundation; Comments of New EA, Inc. dba Flow Mobile; Comments of New York Public Service Commission; Comments of OPASTCO; Comments of PCIA--The Wireless Infrastructure Association/The DAS Forum; Comments of Public Knowledge, Media Access Project, New America Foundation, U.S. PIRG; Comments of PureWave Networks ("PureWave"); Comments of QUALCOMM Incorporated; Comments of Qwest Communications International Inc.; Comments of Rural Cellular Association ("RCA"); Comments of Rural Internet and Broadband Policy Group; Comments of Rural Telecommunications Group, Inc.; Comments of Southern Company Services, Inc.; Comments of Spacenet Inc.; Comments of Sprint Nextel Corporation; Comments of Stratum Broadband; Comments of TCA-Telecom Consulting Association; Comments of TDS Telecommunications Corporation; Comments of Telecommunications Industry Association; Comments of Time Warner Cable Inc.; Comments of T-Mobile USA, Inc.; Comments of United States Telecom Association; Comments of USA Coalition; Comments of Utilities Telecom Council and Edison Electric Institute; Comments of Utopian Wireless Corporation; Comments of Verizon and Verizon Wireless; Comments of Vermont Public Service Board; Comments of W. Kenneth Ferree and Barbara Esbin; Comments of Western Telecommunications Alliance; Comments of Wired.com; Comments of Wireless Communications Association International ("WCAI"); Comments of Wireless Internet Service Providers Association; Comments of Wireless RERC; Comments of XO Communications, LLC; Comments of Yaana Technologies LLC; Comments of ZeroDivide; Comments of ZOOM.

[6] Comments of Clearwire at 4 ("To ensure that the United States is in a position to lead the world to the new level of mobile computing represented by these projections, the National Broadband Plan must recognize and promote the mobile technologies that are currently driving broadband innovation, and use.").

[7] Comments of WCAI at 11 ("Mobile wireless broadband networks maximize both capability and affordability to sparsely-populated rural areas ... "); Comments of NEBSA at 2-3 ("Wireless broadband services, particularly WiMAX-based services that are

Wireless broadband solutions, like WiMAX, are future-proofed and can be easily upgraded to include mobility or additional system capacity, enhancing performance of the system without the need to dig up streets and upset the environment. Comcast recently announced it will offer WiMAX mobile broadband service at speeds of up to 4 Mbps.[8] Many providers, including DBC, have already upgraded their wireless systems to the newest generation WiMAX platform, all without having to change or remove any hardware.[9] The standards-setting community anticipates that the WiMAX infrastructure deployed today, with modest network improvements, will be capable of reaching speeds exceeding 12Mbps, and system capacity will be increased fourfold without any stranded capital investment.[10] Wireless technologies, like WiMAX, should play a critical role in the continuing development of the Nation's communications capabilities.[11]

The Commission and Congress have both identified the unique benefits of wireless broadband and concluded that utilizing wireless broadband will help to effectively and efficiently address the broadband needs of our Nation.[12] Still, there are several impediments to timely wireless broadband deployments on which the Commission and Congress should focus. NRTC and DBC addressed some of these impediments in their comments in this proceeding.[13] The Commission,

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now being deployed in larger markets over EBS and Broadband Radio Service (BRS) stations in the 2.5 GHz band, are a cost-effective means of providing affordable broadband to ... sparsely populated rural areas . . . .").

[8] WiMax.com, Comcast Launches First Wi-Max Market, http://www.wimax.com/commentary/blog/blog-2009/june-2009/comcast-launches-first-wimax-market-0630 (last visited July 21, 2009) (Comcast's High-Speed 2go mobile broadband service offers speeds up to 4 Mbps to laptops, netbooks and other mobile wireless devices.).

[9] *See* Comments of NRTC and DBC at 12, Clearwire at 2-3.

[10] *See* WiMAX Forum, Requirements and Recommendations For Released I.X WiMAX Forum Air Interface, Version 1.8, www.wimaxforum.org/sites/wimaxforum.org/files/documentation/2009/080717_Rel1.x_Air_IF_Requirement.pdf.

[11] Comments of RCA at 7 ("Wireless technologies will play a critical role in the continuing development of the Nation's communications capabilities, and the Commission's national broadband plan should not only account for this role, but should also develop the means to take full advantage of wireless broadband.").

[12] Federal Communications Commission, Bringing Broadband to Rural America: Report on a Rural Broadband Strategy, ¶10 (May 22, 2009) ("Wireless technologies are extending broadband into areas unreachable by cables and wires, and enabling consumers to be connected while on the move."); See J. Exp. Stat. at 149; Food, Conservation and Energy Act of 2008, Pub. L. 110-246, 122 Stat. 1651 (2008); see also Food, Conservation, and Energy Act of 2008, Conf. Rep. No. 110-627, at 834 (2008) (Conferees stated that the Secretary of Agriculture is expected to "consider the unique way of life in rural America and to be mindful that mobile broadband technologies are applicable to farmers, ranchers, and small rural business owners. Fixed broadband service will continue to be important in rural homes and offices, but mobile technologies also may have a role to play in expanding broadband access to rural residents. The Managers expect the Secretary to weigh all appropriate technologies, including the unique characteristics of mobile broadband service and technologies, during consideration of applications."). *See also* NOI ¶ 16.

[13] Joint Comments of NRTC and DBC at 16 ("[T]he most significant impediment to providing these needed services is the lack of available, affordable and suitable licensed spectrum."); *id.* at 19 ("The national broadband plan should consider the importance of middle-mile backhaul and ensure that it is affordable and available for broadband services dedicated to rural and remote areas.").

Congress and the Administration also should take the following additional steps to advance wireless broadband deployment as a critical tool for our Nation's broadband infrastructure: (1) make available more grant money for broadband providers seeking to deploy in rural areas; and (2) foster timely deployment of wireless tower facilities and ensure regulatory parity.

## II. To Achieve Ubiquitous National Broadband Coverage, the Administration and Congress Should Encourage More Grant Funding in Rural Areas.

As Congress noted, the American Recovery and Reinvestment Act (the "Recovery Act")[14] is a down-payment on President Obama's vision to be "the generation that reshapes our economy to compete in the digital age," laying "down broadband lines through the heart of our inner cities and rural towns all across America."[15] Today, opportunities exist for broadband providers to receive grants and loans to build out broadband infrastructure in unserved and underserved areas and help defray the costs of deployment.[16] While these programs create significant opportunities for broadband deployments, and DBC and NRTC members plan to avail themselves of these opportunities, continued federal funding, especially a higher mix of grants, will be necessary to ensure broadband for rural America.

A National Broadband Plan should take a hard look at existing broadband loan and grant programs and determine a more appropriate mix of loans and grants, focusing on grants for bringing service to rural areas, both unserved and underserved. Under the Notice of Funds Availability ("NoFA") that was released on July 1, 2009 for broadband stimulus funding, all broadband projects for "rural" areas must be submitted to the Rural Utilities Service ("RUS") for funding.[17] However, under the RUS program, only areas that are "remote and unserved" are eligible for grants. To be "remote", an area must be at least 50 miles from a "non-rural" area, and to be "unserved" at least 90 percent of the population must lack access to broadband. If an area is rural, but not remote or unserved, an applicant is not eligible for a grant – only a loan or loan/grant combination with a grant limitation of 50 percent. Based on many years of broadband experience in the rural marketplace, NRTC and DBC believe very few populated rural areas will meet the requirements for grants. At the same time, broadband applicants for non-rural areas may receive eighty-percent

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[14] American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, 123 Stat. 115 (2009) (Recovery Act).

[15] Senator Barack H. Obama, Presidential Announcement Speech in Springfield, Illinois (February 10, 2007).

[16] *See* Food, Conservation, and Energy Act of 2008, Pub. L. No. 110-246, 122 Stat. 923 § 6110 (2008 Farm Bill); NOI ¶ 62.

[17] Notice of Funds Availability, 74 Fed. Reg. 33,104 (July 9, 2009).

grants from the National Telecommunications and Information Administration ("NTIA"), whether the market is unserved or underserved – even if located in or near an urban or suburban market. It goes without saying that rural areas are less densely populated and more costly to serve. Even though government supported loans have been historically available, the deployment of broadband has not been feasible in many rural markets, even those that are not "remote" because of the high cost of service. NRTC has advised DigitalBridge that its members, anticipating the availability of significant grant money for rural deployments from the Recovery Act, may delay or abandon plans to provide broadband service in their rural markets.

At the House Committee on Agriculture, Subcommittee on Rural Development, Biotechnology, Specialty Crops, and Foreign Agriculture Hearing,[18] several participants expressed concern that the NoFA allocates more grant money for non-rural areas, than for rural areas, as described above.[19] Curt Stamp, President of the Independent Telephone and Telecommunications Alliance, complained that the NoFA's allocation of mostly loans in rural areas could effectively delay or block predominantly rural areas from receiving NTIA funding.[20] NRTC and DBC agree with Mr. Stamp that "grants, not loans, are needed to spur deployment in most remaining unserved areas." Even Subcommittee Chairman Mike McIntyre expressed concern that non-rural areas seem to be getting larger grants than rural areas through the NTIA program.[21]

Both existing and future NTIA and RUS broadband programs[22] should make grants available to fund rural broadband service. Rural areas, whether unserved or underserved, more than unserved and underserved areas that are not rural, require cost-efficient business models to be

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[18] Rural Broadband Programs: Hearing Before the Subcomm. on Rural Development, Biotechnology, Specialty Crops and Foreign Agriculture, the House Comm. On Agriculture, 111th Cong. (July 9, 2009) ("Rural Broadband Hearing").

[19] Rural Broadband Hearing (Statement of Mr. Delbert Wilson, General Manager, Hill Country Telephone Cooperative, on behalf of the National Telecommunications Cooperative Association at 4 ) ("Given the extremely high cost of building out the 'last mile' to remote areas, the $400 million in grants provided by the BIP for 'last mile' projects may not be sufficient to meet the needs of the rural market."); Rural Broadband Hearing (Statement of Mr. Walter B. McCormick, Jr., President and CEO, United States Telecom Association at 5) ("Of similar concern is the reduced availability of grant funding for 'non-remote' rural areas ... It can be prohibitively expensive to provide broadband in these areas, and we are concerned that a maximum of 50 percent grant funding may not be adequate to structure a financially feasible project."); Rural Broadband Hearing (Statement of Mr. Curt Stamp, President, Independent Telephone and Telecommunications Alliance at 3).

[20] Rural Broadband Hearing (Statement of Mr. Curt Stamp, President, Independent Telephone and Telecommunications Alliance at 3).

[21] Rural Broadband Hearing.

[22] This recommendation also should apply to the $1.3 billion contained in the President's FY2010 budget to "increase broadband capacity and improve telecommunication service and education and health opportunities in rural areas." U.S. Department of Agriculture, Office of Budget and Program Analysis, President Obama's FY2010 Agriculture Department Budget at 46, http://www.obpa.usda.gov/doc/USDAFY10.pdf.

successful and to pass along the lowest-cost service to rural consumers. This cannot occur without significant grant money. As the rural broadband statistics prove, more federal support for rural broadband projects is needed, and without this funding and support, projects to bring broadband to the Nation's most rural communities likely will not happen. In the anticipated next two rounds of stimulus funding, in order to meet the goals of our Administration and Congress for ubiquitous broadband, NTIA and RUS should make available more grant money to fund rural broadband service in both unserved and underserved areas and the notion of "remote" should be eliminated.

## III. DBC Fully Supports CTIA's Shot Clock Proposal to Ensure Timely Wireless Infrastructure Deployments.

In addition to effective funding mechanisms, access to wireless infrastructure on "reasonable rates, terms, and conditions, and speedy and principled local government approval"[23] for use of wireless tower facilities, are critical to expanding wireless broadband deployment. Like many commenters,[24] NRTC and DBC noted in their Joint Comments that timely wireless infrastructure deployments are a necessary component of any broadband plan. In order to achieve ubiquitous 3G mobile broadband coverage, CTIA concluded in its Rural Broadband Strategy comments, that "approximately 16,000 new towers will need to be constructed and 55,000 existing towers will need to be augmented."[25]

CTIA has actively petitioned the Commission for changes to the current tower siting process.[26] Specifically, CTIA requested that the Commission: (1) establish timeframes within which local zoning authorities must act on tower siting and wireless facility applications (45 days for collocation; 75 days for other facilities); (2) hold that where a zoning authority does not act on a siting application within the 45/75 day benchmarks, the application will be deemed granted, or, in the alternative, establish a presumption that a reviewing court should issue an injunction granting the application; (3) clarify that a zoning authority may not deny an application filed by one provider

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[23] Comments of FiberTower Corporation at 10.

[24] Comments of Clearwire at 7-10; Comments of CITA at 15-19; Comments of FiberTower Corporation at 10-14; Comments of T-Mobile USA, Inc. at 21-22; Comments of U.S. Chamber of Commerce at 6; Comments of Verizon and Verizon Wireless at 63-68; Comments of WCA at 25-28. See generally, Comments of Comcast at 66; Comments of Comptel at 23-24; Comments of PCIA at 5-7; Comments of The Rural Telecommunications Group at 7-8; Comments of Time Warner Cable at 23-25; Comments of WindStream at 18-22.

[25] CTIA Comments, GN Dkt. 09-29, at 10 (March 25, 2009).

[26] CTIA Petition for Declaratory Ruling to Clarify Provisions of Section 332(c)(7)(B) to Ensure Timely Siting Review and to Preempt Under Section 253 State and Local Ordinances that Classify All Wireless Siting Proposals as Requiring a Variance, WT Docket No. 08-165 (filed July 11, 2008) ("CTIA Shot-Clock Petition").

based on the presence of another wireless provider in the area; and (4) announce that, when presented with a request to preempt a state or local government action,[27] the Commission will invalidate zoning ordinances that require all applicants for wireless facilities to obtain variances, regardless of the proposed facility's location or scope.[28] Based on the number of new towers and upgrades CTIA predicts will be needed for wireless broadband deployment, and the probable state and local government delay in approving tower construction, DBC fully supports CTIA's "shot-clock" petition.

According to the U.S. Chamber of Commerce, there were 3,300 tower and antenna applications pending for 7 wireless carriers in the spring of 2008.[29] Seven hundred sixty applications were pending for more than one year, and 180 were pending for more than three years.[30] Of the 180 applications pending for more than three years, 135 are collocation applications where towers already have been approved.[31] Considering the 2-3 year build-out deadlines imposed on broadband stimulus recipients,[32] the inability to timely access tower facilities could derail Congress's intent of speedy broadband deployment.

In fact, the FCC acknowledges that "site acquisition and zoning approval for new tower facilities is . . . a major cost component and . . . delay factor in deploying wireless systems."[33] The FCC also acknowledges that timely and reasonably priced access to poles and rights of way is critical to the build out of broadband infrastructure in rural areas.[34] Therefore, DBC asks that the Commission grant CTIA's Petition and, "restore the balance between federal policies regarding timely wireless broadband deployment and local authorities' exercise of their zoning powers."[35] In

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[27] 47 U.S.C. § 253.

[28] *See generally*, CTIA Shot-Clock Petition.

[29] U.S. Chamber of Commerce at 6; see Comments of CTIA at 16.

[30] CTIA Comments at 16.

[31] *Id.*

[32] Broadband stimulus projects must be substantially complete in 2 years and fully complete in 3 years.

[33] CTIA Comments at 17 (*quoting Amendment of the Commission's Rules to Establish Part 27, the Wireless Communications Service*, Report and Order, 12 FCC Rcd 10785, ¶ 90 (1997)).

[34] Rural Broadband Strategy Report ¶ 157; see WindStream Comments at 18.

[35] CTIA Comments at 18.

addition, the Commission must also ensure that regulations are applied consistently, encouraging regulatory parity and uniform rates for all broadband providers.[36]

## IV. Without a Robust, Ubiquitous Broadband Infrastructure, Smart Grid Networks and Applications Will Fail.

Energy independence and efficiency is one of the Administration's main goals.[37] In 2007, Congress set aside $100 million a year, starting in 2008 and ending in 2012, for developing and implementing smart grid technologies.[38] The Recovery Act requires that the Commission include "a plan for the use of broadband infrastructure and services in advancing . . . energy independence and efficiency" and allocated more than $11 billion to achieve that goal.[39] In its *NOI*, the FCC seeks comment on how broadband infrastructure and services could help achieve efficient implementation of smart grid technology.[40]

The need for efficient implementation of smart grid technology is dire. The Department of Energy estimates that world energy consumption is projected to increase by 44 percent from 2006 to 2030.[41] DBC agrees with the Computer & Communications Industry Association, that "[l]ike the Internet, the smart grid will have to deal with a high number of network requests and huge variations in service load and so it will need to develop capabilities similar to Internet servers."[42] As the National Rural Electric Cooperative Association ("NRECA") notes in its comments in this proceeding, "[t]he use of broadband technology is fundamental to effective operation of the smart grid . . . particularly as [broadband and smart grid technologies] continue[ ] to evolve" and reliance

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[36] *See* Clearwire at 7 ("Cumbersome state and local cell siting processes have proven to be a roadblock for all licensees, not just those denominated as Cellular Mobile Radio Service ('CMRS') providers.").

[37] Press Release, U.S. Dept. of Energy, Secretary Chu: President's Budget Creates Jobs, Restores America's Scientific Leadership and Puts Nation on Path to Energy Independence (May 7, 2009) http://www.energy.gov/news2009/7387.htm. ("The President's budget for energy reflects his commitment to ending our dependence on foreign oil, restoring our scientific leadership and putting Americans back to work through investments in a new green energy economy.").

[38] NOI ¶ 86 (citing Energy Independence and Security Act of 2007, Pub. L. No. 110-140, 121 Stat. 1492 at § 1304 (2007) codified at 42 U.S.C. § 17384).

[39] *Id.* (quoting Recovery Act § 6001(k)(2)(D)) (omission in original).

[40] *Id.* ¶ 87.

[41] Energy Information Administration: International Energy Outlook 2009, http://www.eia.doe.gov/oiaf/ieo/highlights.html ("Total energy demand in the non-OECD countries increases by 73 percent, compared with an increase of 15 percent in the OECD countries.").

[42] Comments of the Computer & Communications Industry Association at 30.

on smart technology continues to rise.[43] Without a reliable, "robust, ubiquitous broadband infrastructure,"[44] smart grid funding opportunities will be wasted and the smart grid will not become a reality.

NRTC is a non-profit cooperative providing advanced telecommunications and information technology and services to more than 1,400 rural utilities and affiliates in 48 states.[45] NRTC is also a supplier of advanced smart grid equipment. NRTC supplies its members and their customers in rural America with a wide range of energy-efficient technologies, such as advanced metering infrastructure (AMI), supervisory control and data acquisition (SCADA), and demand-response equipment. NRTC provides wireless and satellite connectivity for voice and data communications for electric utilities. Through the addition of WiMAX in partnership with DBC, NRTC and its electric cooperative members will, in the near future, be positioned to facilitate enhanced smart grid initiatives that are connected via wireless broadband services.

As NRECA noted, electric Cooperatives provide electric service to approximately 43 million consumers in rural areas.[46] NRECA's members already offer deployment and demand response to improve production efficiency, delivery and use of electric power.[47] Electric Cooperatives have been using smart grid technologies for more than three decades to improve reliability, increase energy and asset efficiency, and keep electric rates low for rural consumers.[48] While developing the National Broadband Plan, DBC urges the Commission to recognize that a robust, ubiquitous broadband infrastructure will help make smart grid networks and applications a reality throughout rural America.[49]

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[43] Comments of NRECA at 14.

[44] Comments of Free Press at 2 ("Many of these investments rely upon a robust, ubiquitous broadband infrastructure to be effective -- including the initiatives in health-related information technology, improvements in education, smart-grids and next generation energy policy, as well as programs to promote civic engagement and streamline government services. Just as transportation networks are central to economic growth, so are broadband networks – as they are *the* infrastructure of our information society.").

[45] Of those members, 480 are local independent or cooperative telephone companies and 808 are electric cooperatives.

[46] Comments of NRECA at 14.

[47] *Id.*

[48] *Id.* at 14-15.

[49] Comments of One Economy at 22 ("When new government projects are built, renovated, or reconstructed, broadband infrastructure should be installed. Examples of these policies should include . . . Cross-pollinating with the smart grid in broadband assessment and deployment.").

## IV. Conclusion.

DBC and its partners in rural America, the members of NRTC, have the capability to bring robust, affordable, reliable, sustainable, scalable and upgradeable wireless broadband services to some of the neediest communities across our Nation and are anxious to help the Commission achieve its goal of ensuring that all Americans reap the benefits of broadband. The FCC can accomplish this goal by supporting wireless broadband technology, like WiMAX, as a critical component in ensuring both service to rural America and the continued evolution of our Nation's broadband infrastructure, making available more federal grants for rural broadband deployment in underserved and unserved areas, ensuring timely access to wireless infrastructure facilities, and helping to encourage linkages between wireless broadband and smart grid technologies for greater energy efficiencies and independence.

Respectfully Submitted,


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**July 21, 2009**

## CERTIFICATE OF SERVICE

I, Peter Andros, certify on this 21st day of July, 2009, a copy of the foregoing Reply Comments has been served via electronic mail or first class mail, postage pre-paid, to the following:

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